PV = Volume of water to be treated (gallons)

DC = Consumption of water treatment chemical over the time period (oz. water treatment chemical/ 1000 gallons water).

Remarks

Claims 1-22 remain in this application. Claims 11-21 have been withdrawn pursuant to a restriction requirement. In view of the examiners earlier restriction requirement, applicant retains the right to present claims 11-21 in a divisional application.

Claims 1-10 and 22 have been rejected under 35 U.S.C. 112, second paragraph as purportedly indefinite. The Examiner asserts that the units for the recited terms MD, PV and DC should be set forth in the claim.

Applicant respectfully submits that original claim 1 is definite in the sense of 35 U.S.C. 112, second paragraph. One of ordinary skill, when reading claim 1 in view of the specification would fully understand that the terms MD, PV and DC have clearly defined units of measurement. Indeed, the examiner, when suggesting that claim 1 should be amended to recite units for each of MD, PV and DC, refers to the units disclosed in the specification Although applicant respectfully submits that claim 1 fully complies with 35 USC 112, second paragraph, applicant has amended claim 1 as suggested by the examiner. It is noted, however, that the amendments to claim 1 are not narrowing amendments for purposes of patentability. Rather, the present amendments to claim 1 are tangential to patentability because they are merely cosmetic. The amendments to claim 1 merely recite units of measurement for MD, PV and DC which, as discussed above, are clear from the specification. Reconsideration and withdrawal of this rejection is respectfully requested.

Claim 22 has been rejected under 35 USC 102 as anticipated by Alwerud.

Alwerud teaches a chlorinating device whose dosage of water treatment chemical is chosen by referring to an empirical table. Alwerud fails to each or suggest each and every feature of claim 22. In this connection, Alwerud fails to, inter alia,

teach the recited equation for determining the dosage of water treatment chemical to be added to a given volume of water. Since Alwerud fails to teach each and every feature of claim 22, then Alwerud fails to anticipate claim 22.

Alwerud also fails t to suggest claim 22. As discussed, Alwerud fails to teach the equation MD= (PV) (DC) recited in claim 22. Alwerud's requirement to use an empirical table of dosage amounts fails to suggest the recited equation. One of ordinary skill, given the requirement of Alwerud to use Alwerud's empirical table would not be motivated to abandon the use of that table in favor of use of the recited equation to calculate dosages. Assuming *arguendo* that one of ordinary skill were somehow motivated by Alwerud's table to achieve the recited equation of claim 22, nothing in Alwerud would cause one of ordinary skill to expect that the recited equation would be effective to determine the amount of water treatment chemical to be added to a volume of water.

In view of the failure of Alwerud to either teach or suggest the claimed invention, reconsideration and withdrawal of this rejection is respectfully requested.

Applicant respectfully requests that a timely notice of allowance be issued in this case.

Respectfully submitted,

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